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37 C.F.R. 1.8

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September 24, 2004  
Date

Gina N. Shishima

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
David Ralph *et al.*

Group Art Unit: 1635

Serial No.: 09/660,568

Examiner: McGarry, Sean

Filed: September 11, 2000

Atty. Dkt. No.: UROC:014USD1

For: DIAGNOSIS OF DISEASE STATE USING  
mRNA PROFILES IN PERIPHERAL  
LEUKOCYTES

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**MS AF**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed March 24, 2004, finally rejecting claims 9-20 and 64. A request for a three-month extension of time is enclosed herewith bringing the due date to September 24, 2004.

The fee for filing this Notice of Appeal is \$330. If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included

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herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/UROC:014USD1.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



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Date: September 24, 2004